Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Reliability and Continuity of Communications Networks, Including Broadband Technologies	)	PS Docket No. 11-60
	)	
Public Safety and Homeland Security Bureau Seeks Comment on the Effectiveness of the Wireless Network Resiliency Cooperative Framework and for the Study on Public Access to 911 Services During Emergencies	)	

REPLY COMMENTS

The American Cable Association ("ACA")[1] hereby submits reply comments concerning two issues on which the Public Safety and Homeland Security Bureau ("Bureau") seeks comment in the above-captioned public notice: (1) wireless backhaul resiliency practices; and (2) the forthcoming Commission study on the use of WiFi for 911 access.

[1] ACA represents approximately 750 smaller cable operators and other local providers of broadband Internet access, voice, and video programming services to residential and commercial customers. These providers pass approximately 18.2 million households of which 7 million are served. ACA members include providers of backhaul services to wireless carriers.

I. Backhaul Providers and Wireless Resiliency

The Bureau seeks comment on "[i]ncorporating" wireless backhaul providers in the mobile wireless industry's Wireless Resiliency Cooperative Framework (Framework).[2] While mobile wireless carriers have adopted the Framework as a means of organizing and guiding the wireless industry's response to major disasters, the rationale for extending it to cover wireless backhaul providers[3] is far from clear. As commenters explain, mechanisms already exist that promote high standards of resiliency for wireless backhaul services and ensure that backhaul providers coordinate effectively when service outages occur. With these mechanisms in place, seeking further "commitments" from backhaul providers through participation in a Framework designed for mobile wireless carriers is both unnecessary and unwise.

The Bureau cites as the basis for its inquiry its "understand[ing]" of issues encountered during Hurricane Maria related to backhaul service. As an initial matter, ACA cautions the Bureau not to overrely on generalized concerns about backhaul providers' response to Hurricane Maria as a basis for broad policymaking.[4] Hurricane

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[2] *See Public Safety and Homeland Security Bureau Seeks Comment on the Effectiveness of the Wireless Network Resiliency Cooperative Framework and for the Study on Public Access to 911 Services During Emergencies*, Public Notice, PS Docket No. 11-60, DA 18-614 at 2-3 (PSHSB rel. June 13, 2018) (Public Notice). Introduced in 2016, the Framework is a cooperative effort within the mobile wireless industry to "enhance coordination and communication to advance wireless service continuity and information sharing during and after emergencies and disasters." *See* Letter From Joan Marsh, AT&T Services, et al., to Marlene H. Dortch, Secretary, FCC, PS Dockets No. 13-239 and 11-60 (dated Apr. 27, 2016) (announcing the Framework), available at https://ecfsapi.fcc.gov/file/60001707365.pdf (last visited July 31, 2018); *see also* Letter From Rebecca Murphy Thompson, Competitive Carriers Association (CCA) to Marlene H. Dortch, Secretary, FCC, PS Dockets No. 13-239 and 11-60 (expressing support for the Framework), *available at* https://ecfsapi.fcc.gov/file/60002089497.pdf (last visited July 31, 2018).

[3] In these comments, the terms "backhaul provider" and "wireless backhaul provider" refer to a provider insofar as it providing such services, regardless of what other communications services it may provide.

[4] *See* Public Notice at 2.

Maria was a singularly destructive storm, one which effectively wiped out Puerto Rico's electrical grid and with it broad swathes of the communications infrastructure.[5] Devastation of this magnitude presents restoration and recovery challenges incomparably greater than those a provider would encounter in a "normal" disaster. For instance, ACA member Liberty Puerto Rico[6] faced the task of reconstructing its network, and it has invested $130 million and countless hours to restore service to its customers as quickly as possible in the midst of a recovery that continues to this day.[7] After witnessing this work firsthand during a spring visit to Puerto Rico, Chairman Pai praised Liberty for its "incredible efforts" under such "extreme" circumstances.[8]

As AT&T suggests, rebuilding a "ravaged" fiber network, such as what was required in the aftermath of Hurricane Maria, is a project that differs in kind from the more typical process of restoring service incrementally to individual cell sites.[9] A network rebuild that spans months also challenges the concept of "real time" service restoration updates, although AT&T appropriately notes the significant information sharing in which providers engaged throughout the recovery in areas affected by this

[5] *See, e.g.*, AT&T Comments at 8-9.

[6] Liberty Puerto Rico (Liberty) is part of Liberty Latin America, a telecommunications company that provides residential and business services in over 20 countries in Latin America and the Caribbean. *See* Liberty Puerto Rico, About, https://www.libertypr.com/about (last visited July 31, 2018).

[7] *See Liberty P.R. expects to have 'full connectivity' by June; lost $45M in revenue post-storms,* News is My Business, May 10, 2018, http://newsismybusiness.com/liberty-connectivity-revenue/ (last visited July 31, 2018).

[8] *See* Remarks of Chairman Ajit Pai at the American Cable Association Annual Summit, March 21, 2018, at 1, https://docs.fcc.gov/public/attachments/DOC-349825A1.pdf (last visited July, 31, 2018).

[9] *See* Comments of AT&T on the Public Notice, PS Docket No. 11-60 at 9-10 (filed July 16, 2018) (AT&T Comments).

hurricane.[10] At any rate, ACA encourages the Bureau to keep in perspective the "particular challenges" providers faced in the wake of Hurricance Maria, and to avoid reaching broad conclusions about backhaul resiliency based on an incomplete "understand[ing]" of providers' response to a single, uniquely devastating storm.[11]

As commenters explain, there are already strong mechanisms in place to ensure that wireless carriers can obtain access to resilient backhaul services and that backhaul providers share information effectively during emergencies. Wireless carriers are sophisticated and highly coveted business customers, able to negotiate individually with providers to obtain backhaul services on terms and conditions that meet their needs. NCTA explains that its members "provide backhaul to wireless network operators pursuant to [contracts] that ensure coordination and the exchange of restoration information with wireless providers during backhaul outages."[12] ACA members indicate that their contracts include similar terms, and that they have a strong incentive to go the "extra mile" for their wireless carrier customers to win contract renewals. Through these contractual mechanisms, backhaul providers are able to develop tailored solutions that suit the particular needs of each wireless customer, and do so far better than a "one-size-fits-all" industry-wide solution found in a framework ever could.

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[10] *See id*. at 10-11.

[11] *See* AT&T Comments at 8-9; Comments of the Alliance for Telecommunications Industry Solutions (ATIS) on the Public Notice, PS Docket No. 11-60, at 3 (filed July 16, 2018); Comments of Verizon on the Public Notice, PS Docket No. 11-60, at 4-5 (filed July 16, 2018).

[12] Comments of NCTA-The Internet & Television Association (NCTA) on the Public Notice, PS Docket 11-60 at 2; *see also* Comments of Verizon on the Public Notice, PS Docket 11-60 at 4-5 (filed July 16, 2018) ("The typical service level and other agreements between wireless and backhaul providers extensively address network reliability responsibilities, and include processes for establishing trouble tickets and lines of communications during service outages.").

In addition, commenters identify multiple information sharing processes in which many backhaul providers already participate during emergencies, including through the National Coordinatng Center for Communications and the Communications Sector Coordinating Council, on both of which ACA also participates.[13] Any new information sharing commitments imposed on backhaul providers "within the existing Framework" would likely duplicate, and potentially conflict with, these established, well-defined processes, undermining rather than strengthening network resiliency.[14]

At any rate, wireless industry commenters resist expanding their Framework to include backhaul providers,[15] notwithstanding the Bureau's suggestion that doing so would improve wireless carriers' access to "real time information from backhaul providers about the status of network restoration efforts."[16] This lack of support from intended beneficiaries of the proposal is a strong sign the Bureau should not pursue it further. A better course would be to follow CTIA's suggestion of encouraging non-wireless stakeholders to implement any elements of the Framework that may be relevant to their operations, while allowing current backhaul resiliency practices to continue unfettered.[17]

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[13] *See* NCTA Comments at 2-3; AT&T Comments at 10-11; ATIS Comments at 3-4; Verizon Comments at 4.

[14] *See* NCTA Comments at 3.

[15] *See* Comments of CTIA-The Wireless Association (CTIA) on the Public Notice, PS Docket No. 11-60, at 18 (filed July 16, 2018) (resisting "expan[sion] of the wireless industry's Framework to additional stakeholders"); Verizon Comments at 4-5 (describing the Framework as "not amenable to incorporating backhaul providers directly"); AT&T Comments at 7-11. For reasons explained above, ACA disagrees with T-Mobile's suggestion that a new "voluntary cooperative agreement" for backhaul providers is necessary at this time. *See* Comments of T-Mobile on the Public Notice, PS Docket No. 11-60, at 8-9 (filed July 16, 2018).

[16] *See* Public Notice at 2-3.

[17] *See* CTIA Comments at 18.

ACA appreciates the Bureau's efforts to address wireless network resiliency, and for recognizing that backhaul is a key input in mobile wireless services. Robust mechanisms already exist that ensure wireless providers' access to resilient backhaul services and that facilitate coordination during emergencies among backhaul providers, their wireless carrier customers, and other key stakeholders. With these mechanisms in place, any attempt to shoehorn backhaul providers into the wireless industry's Framework would introduce complexity and potential confusion, without delivering any clear public safety benefit.

II. Study on 911 Communications Over WiFi

ACA applauds the Bureau for seeking comment to begin development of the study on 911 access called for under RAY BAUM'S Act.[18] We agree with commenters that the use of WiFi hotspots for public 911 access is worth exploring as a means of preserving access to emergency services during mobile network outages.[19] However, as NENA-The 911 Association and others observe, 911 communications over WiFi present numerous technical and operational challenges.[20] ACA encourages the Bureau and Commission to use the 36 months alloted for the study[21] to identify and address these challenges in detail. As the Commission pursues this effort, ACA encourages the

[18] *See* Consolidated Appropriations Act, 2018, P.L. 115-141, Division P, the Repack Airwaves Yielding Better Access for Users of Modern Services Act (RAY BAUM'S Act) at Title III, Section 301.

[19] *See* Comments of APCO on the Public Notice, PS Docket No. 11-60 at 4 (filed July 16, 2018); AT&T Comments at 12.

[20] *See* Comments of NENA-The 911 Association on the Public Notice, PS Docket No. 11-60 (filed July 16, 2018); Comments of APCO on the Public Notice, PS Docket No. 11-60 at 4 (filed July 16, 2018); AT&T Comments at 12-15; NCTA Comments at 4-6.

[21] RAY BAUM'S Act at Title III, Section 301.

Commission to work towards solutions that are technically feasible and cost-effective for smaller operators.[22]

Respectfully submitted,

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[22] *See id.* (directing that the study address, among other issues, "technical feasibility" and "costs").